

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

FILED  
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2005 APR -4 A 11:37

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Criminal No. ~~04~~-10001-WGY

DISTRICT COURT  
DISTRICT OF MASS.

UNITED STATES

v.

GREGORY WRIGHT

**AFFIDAVIT OF COUNSEL  
IN SUPPORT OF MOTION TO SUPPRESS EVIDENCE  
OBTAINED FROM WARRANTLESS SEARCH**

I, Charles W. Rankin, do hereby state and depose as follows:

1. I am a member in good standing of the Bar of this Court.
2. Pursuant to the Criminal Justice Act, I have been appointed as counsel to the defendant in the above-captioned criminal case.
3. I make this affidavit upon personal knowledge.
4. Attached hereto as Exhibit 1 is a Boston Police Incident Report, dated 11/08/04, pertaining to the search and arrest of the defendant in this case. The United States provided me with this report in accordance with its automatic discovery obligations.

Signed under the pains and penalties of perjury on this date:

March 29, 2005



Charles W. Rankin, BBO No. 411780

# BOSTON POLICE INCIDENT REPORT

ORIGINAL ☒ SUPPLEMENTARY ☐

KEY SITUATIONS		COMPLAINT NO 040608531		REPORT DIST. B3		CLEARANCE DIST	
TYPE OF INCIDENT FIREARM, CARRYING		CRIME CODE 0		STATUS		DATE OF OCCUR. A. 11/08/04	
LOCATION OF INCIDENT 1222 BLUE HILL AV		APT.		DISPATCH TIME 07:54 PM		TIME OF OCCUR. A. 07:54 PM	
VICTIM-COMP. (LAST, FIRST, MI) COMMONWEALTH OF MASS		PHONE		SEX		RACE	
ADDRESS		APT.		OCCUPATION		AGE 0	
PERSON REPORTING BROWN, GREGORY P.O.		ADDRESS 364 WARREN STREET, ROXBURY, MA, 02119-0000		APT.		PHONE (617)-343-4444	
WAS THERE A WITNESS TO THE CRIME							
PERSON INTERVIEWED		AGE	LOCATION OF INTERVIEW	APT.	HOME ADDRESS	APT.	TELEPHONE
JONES, CRAIG P.O.		0	ON-SCENE		364 WARREN STREET- YVSF, ROXBURY, MA, 02119-0000		(000)-000-0000 RES (617)-343-4444 BUS
OUTERBRIDGE, DEREK TROOPER		0	ON-SCENE		364 WARREN STREET- YVSF, ROXBURY, MA, 02119-0000		(000)-000-0000 RES (617)-343-4444 BUS
MILLS, VANCE P.O.		0	ON-SCENE		364 WARREN STREET- YVSF, ROXBURY, MA, 02119-0000		(000)-000-0000 RES (617)-343-4444 BUS
BORDLEY, MARK PO.		0	ON-SCENE		364 WARREN STREET- YVSF, ROXBURY, MA, 02119-0000		(000)-000-0000 RES (617)-343-4444 BUS
SOMERVILLE, ARTHUR TROOPER		0	ON-SCENE		364 WARREN STREET- YVSF, ROXBURY, MA, 02119-0000		(000)-000-0000 RES (617)-343-4444 BUS
CELESTER, LAWRENCE P.O.		0	ON-SCENE		364 WARREN STREET- YVSF, ROXBURY, MA, 02119-0000		(000)-000-0000 RES (617)-343-4444 BUS
LOPES, STEVE TROOPER		0	ON-SCENE		364 WARREN STREET- YVSF, ROXBURY, MA, 02119-0000		(000)-000-0000 RES (617)-343-4444 BUS
RAYE, MICHAEL P.O.		0	ON-SCENE		364 WARREN STREET- YVSF, ROXBURY, MA, 02119-0000		(000)-000-0000 RES (617)-343-4444 BUS
FRIERE, MARK P.O.		0	ON-SCENE		364 WARREN STREET- YVSF, ROXBURY, MA, 02119-0000		(000)-000-0000 RES (617)-343-4444 BUS
BROWN, JOHN P.O.		0	ON-SCENE		364 WARREN STREET- YVSF, ROXBURY, MA, 02119-0000		(000)-000-0000 RES (617)-343-4444 BUS
FOLEY, TOM POLICE OFFICER		0	ON-SCENE		364 WARREN STREET- YVSF, ROXBURY, MA, 02119-0000		(000)-000-0000 RES (617)-343-4444 BUS
NUMBER OF PERPETRATORS: 1 --- CAN SUSPECT BE IDENTIFIED AT THIS TIME							
P STATUS ARRESTED		NAME (LAST, FIRST, MI) WRIGHT, GREG ROY		I.S. NO. 019-62-8500		BOOKING NO. 20040248103	
WARRANT NO.		ADDRESS 107 OAK ST, RANDOLPH, MA, 02368-0000		SEX MALE		RACE BLACK HISPANIC	
SPECIAL CHARACTERISTICS (INCLUDING CLOTHING)		WEIGHT 195		BUILD STOCKY		HAIR BLACK	
						EYES BROWN	
CAN SUSPECT VEHICLE BE DESCRIBED							
V STATUS SUSPECT VEHICLE		REG. STATE MA		REG. NO. 4812WP		PLATE TYPE PAN	
VEHICLE MAKE YEAR OLDSMOBILE - 2002		VEHICLE NO.		STYLE SEDAN		COLOR (TOP-BOTTOM) BLACK - BLACK	
OPERATOR'S NAME FOY, DAVID		LICENSE NO.		STATE MA		OPERATOR'S ADDRESS 222 WESTVIEW STREET, DORCHESTER, MA, 02124-0000	
OWNERS'S NAME SAME		OWNERS'S ADDRESS					
CAN PROPERTY BE IDENTIFIED							
P STATUS		TYPE OF PROPERTY		SERIAL OR IDENTIFICATION NO.		BRAND NAME-DESCRIPTION	
SEIZED		FIREARMS		4248698		PHOENIX ARMS - .22 CALIBER	
SEIZED		AMMUNITION				- 6 LIVE ROUNDS .22 CALIBER	
IS THERE A SIGNIFICANT M.O.							
M TYPE OF WEAPON-TOOL HANDGUN		NEIGHBORHOOD RESIDENCE/HOME		TYPE OF BUILDING N/A		PLACE OF ENTRY N/A	
WEATHER CLEAR		LIGHTING STREET LIGHTS		TRANSPORTATION OF SUSPECT CAR		VICTIM'S ACTIVITY	
UNUSUAL ACTIONS AND STATEMENTS OF PERPETRATOR FLED CLUTCHING HOODIE POCKET				RELATIONSHIP TO VICTIM			
IS THERE ANY PHYSICAL EVIDENCE (DESCRIPTION AND DISPOSITION IN NARRATIVE)							

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IS THERE ANY OTHER REASON FOR INVESTIGATION (REASON BELOW)							
BLOCK NO.	NARRATIVE AND ADDITIONAL INFORMATION						G YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
	<p>MEMBERS OF THE YOUTH VIOLENCE STRIKE FORCE OFFICERS G.BROWN,C.JONES AND TROOPER OUTERBRIDGE ASSIGNED THE VK04 ALONG WITH OFFICERS V.MILLS,M.BORDLEY,TROOPER SOMERVILLE(VK09),OFFICERS L.CELESTER,M.RAYE,TROOPER S.LOPES(VK08),AND OFFICERS T.FOLEY,J.BROWN,M.FRIERE(VK02) WHILE MONITORING GANG ACTIVITY IN THE AREA OF 1216 BLUE HILL AVE (AN LOCATION KNOWN TO THE OFFICERS FOR HIGH FIREARM AND DRUG RELATED OFFENSES) MADE THE FOLLOWING OBSERVATIONS.OFFICER WHILE SLOWLY TRAVELING IN THEIR UNMARKED MOTOR VEHICLE OBSERVED THE ABOVE DESCRIBED SUSPECTS' VEHICLE PARTIALLY PARKED OBSTRUCTING THE PARKING LOT ENTRANCE/EXIT AT 1216 BLUE HILL AVE.OFFICERS G.BROWN,C.JONES AND TROOPER OUTERBRIDGE DROVE PAST THE PARKED VEHICLE AND THE REAR SEAT PASSENGER(GREGORY WRIGHT) LEANED FORWARD AS IN A MANNER TO GAUGE THE OFFICERS DIRECTION OF TRAVEL.THE SUSPECT(GREGORY WRIGHT) UPON OBSERVING THE OFFICERS' VEHICLE PROCEED PAST THE CAR HE WAS SEATED IN IMMEDIATELY OPENED THE RIGHT REAR PASSENGER SIDE DOOR AND EXIT.THE SUSPECT UPON STANDING UP GRABBED THE RIGHT SIDE OF THE POCKET ON HIS HOODED SWEATSHIRT AND BEGAN TO FLEE ON FOOT UP BLUE HILL AVE.THE SUSPECT'S ACTIONS WERE ALSO BEING OBSERVED BY OFFICERS V.MILLS,M.BORDLEY,T.FOLEY,J.BROWN,L.CELESTER,M.FRIERE AND TROOPERS SOMERVILLE,OUTERBRIDGE AND RAYE.BASED ON THE LOCATION WHERE THE OFFICERS WERE MONITORING AND THEIR TRAINING,KNOWLEDGE AND EXPERIENCE IN FIREARM INVESTIGATIONS AND CHARACTERISTICS OF ARMED GUNMEN THEY BELIEVED THE SUSPECT WAS ARMED WITH A FIREARM.OFFICERS MADE SEVERAL VERBAL COMMANDS TO THE SUSPECT " STOP POLICE" TO NO AVAIL.THE SUSPECT CONTINUED RUNNING IN THE DIRECTION OF CLARKWOOD STREET WHILE MAINTAINING THE CLUTCH ON THE RIGHT SIDE OF HIS HOODED JACKET POCKET AND ATTEMPTING TO PULL AN OBJECT FROM THAT SAME POCKET.OFFICERS DETAINED THE SUSPECT AT 1222 BLUE HILL AVE AND ATTEMPTED TO CONDUCT A THRESHOLD INQUIRY AND PAT FRISK OF THE SUSPECT'S SWEATSHIRT AND WAIST AREA FOR THE PRESENCE OF A WEAPON.THE SUSPECT VIOLENTLY RESISTED THE OFFICERS SWINGING HIS ARMS AND KICKING HIS LEGS.OFFICERS GRABBED HOLD OF THE SUSPECT IN ATTEMPT TO CONTROL HIM AS HE AGAIN ATTEMPTED TO PLACE HIS HAND INSIDE HIS SWEATSHIRT POCKET.OFFICERS USED EMPTY HAND TACTICS TO TAKE THE SUSPECT TO THE GROUND IN A PRONE POSITION TO HANDCUFF HIM FOR THEIR SAFETY.THE SUSPECT WAS HANDCUFFED AND OFFICER CELESTER RECOVERED A LOADED SILVER- COLORED SEMI-AUTOMATIC HANDGUN WITH BLACK GRIPS FROM THE SUSPECT'S HOODED SWEATSHIRT POCKET.THE FIREARM WAS LOADED WITH FIVE LIVE .22CALIBER ROUNDS IN THE MAGAZINE AND ONE LIVE .22CALIBER ROUND IN THE CHAMBER,SERIAL #4248698,MADE BY PHOENIX ARMS,MODEL HP-22A.THE FIREARM WAS TAKEN BY DETECTIVE TYRONE CAMPER OF THE BALLISTIC UNIT FOR TESTING.THE SUSPECT SUSTAINED A MINOR ABRASION TO HIS FOREHEAD AND RIGHT HAND DURING THE VIOLENT STRUGGLE WITH THE OFFICERS.HE WAS TREATED BY HEALTH AND HOSPITALS AT AREA B-3.SUSPECT PREVIOUSLY CONVICTED IN DORCHESTER COURT ON 04/19/2000 FOR POSSESSION OF A FIREARM AND POSSESSION OF AMMUNITION,DOCKET\$9907CR8195 .SUSPECT TO BE CHARGED WITH POSSESSION FIREARM-SECOND AND SUBSEQUENT OFFENSE.SUSPECT TRANSPORTED TO AREA B-3 FOR BOOKING PROCEDURES. DAVID FOY AND OMAR EDWARDS(10/28/78) WERE FIOED AND RELEASED.OMAR EDWARDS WAS KNOWN TO THE OFFICERS AND WAS SHOT IN AUGUST 2004 IN THE AREA OF WOOLSON AND BLUE HILL AVE. SUFFOLK COUNTY DISTRICT ATTORNEY OFFICE WAS NOTIFIED(ADA JEFFREY CLIFFORD).</p>						
UNIT ASSIGNED VK04	TOUR OF DUTY 3	REPORTING OFFICER'S NAME GREGORY BROWN	REPORTING OFFICER'S ID 10245	PARTNER'S ID 9758	FI NO	TELETYPE NO.	
DATE OF REPORT 11/08/04	SPECIAL UNITS NOTIFIED(REPORTING) D.A. OFFICE						
TIME COMPLETED 10:21 PM	PATROL SUPERVISOR NAME	PAT. SUP. ID	DUTY SUP. NAME MICHAEL V KERN	DUTY SUP. ID 11620			

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